

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claim 1 and 3-11 have been considered but are moot in view of the new ground(s) of rejection.

In response to applicant's argument (page 6 paragraph 1) that Ellis only teaches one level of component channels, applicant should note that Ellis teaches that channels may be included in more than one group (figure 10 and 11, Col. 9, lines 56-65)

In response to applicant's argument (page 6 paragraph 7) that Ellis allows the user to navigate only within one category of channels, applicant should note that Ellis teaches that channels may be included in more than one group (figure 10 and 11, Col. 9, lines 56-65).

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 3-5, and 10-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Ellis, US 6,766,526.

Regarding claim 1, Ellis discloses a method of switching channels in a receiver (Col. 3, line 65 to Col. 4, line 2), especially in a digital television receiver (Col. 3, lines 43-45) comprising

creating groups of channels, each group of channels having a group type assigned (figure 10 and 11, Col. 8, line 62 to Col. 9, line 20);

assigning a plurality of the groups of channels to each channel (Col. 9, lines 56-65);

choosing, by a manual input, a selected channel (figure 2, 10, and 11, Col. 4, lines 23-29, Col. 8, line 62 to Col. 9, line 20)

switching a receiver to the selected channel (tuning to the desired program, Col. 8, line 62 to Col. 9, line 20),

deactivating a currently active group of channels by a deactivating control signal; and

activating a group of channels assigned to the selected channel Wherein by selecting a new channel belonging to the activated group of channels a switching function is used and switching the receiver to the new channel is realized by a switching control signal (when user inputs channel 14, the previous active group or the group that was on the screen is deactivated, HBO shows up with all its related channels, figure 10, Col. 8, line 62 to Col. 9, line 20).

Regarding claim 3, Ellis discloses the method of claim 1 wherein the group of channels assigned to the selected channel is selected from a list of groups of channels (Col. 9, lines 56-65).

Regarding claim 4, Ellis discloses the method of claim 1 wherein channels not assigned to any group are added to a group of channels belonging to the group of channels assigned to the selected channel (Col. 7, lines 45-63).

Regarding claim 5, Ellis discloses the method of claim 1 wherein the switching control signal simultaneously switches to receive the new channel and a name of a group to which the new channel belongs is displayed on a screen of the receiver. (when the user selects a channel the name of the group appears next to the channel number, 85- figure 10 and 11)

Regarding claim 10, Ellis discloses a method for switching channels (Col. 3, line 65 to Col. 4, line 2) in a digital television receiver (Col. 3, lines 43-45), the receiver configured to receive a plurality of channels where each channel has assigned a plurality of groups (Col. 9, lines 56-65), each group having specified a group type (HBO or USA figure 10 and 11), the method comprising the steps of:
determining a preferred group type to be activated,
receiving a request to switch the receiver to a specific channel (Col. 8, lines 62-65),
setting the receiver to receive the specific channel (Col. 9, lines 7-10),
reading a group of the preferred group type assigned to the specific channel, activating the group (HBO or USA highlighted region 85-figure 10 and 11),
receiving a request to switch the receiver to a next or previous channel (Col. 9, line 65 to Col. 10, line 8),

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determining the next or previous channel having assigned the active group (figure 10 and 11, Col. 9, lines 56-65), and
setting the receiver to receive the next or previous channel (Col. 9, line 65 to Col. 10, line 8).

Regarding claim 11, Ellis discloses a method for switching channels in a digital television receiver, the receiver configured to receive a plurality of channels having assigned groups thereto, comprising the steps of:

determining a list of active groups (HBO and USA 85-figure 10 and 11),
receiving a request to switch the receiver to a next or previous channel (Col. 9, line 65 to Col. 10, line 8),
determining the next or previous channel having assigned a group belonging to the list of active groups (figure 10 and 11, Col. 9, lines 56-65), and
setting the receiver to receive the next or previous channel (Col. 9, line 65 to Col. 10, line 8).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 6-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ellis in view of Young, US 5,151,789.

Regarding claim 6, Ellis discloses a method of switching channels in a receiver (Col. 3, line 66 to Col. 4, line 2) in which groups are assigned to channels (Col. 9, lines 57-65), characterized in that a list of active groups is defined (HBO and USA with their related channels, figure 10 and 11), and by means of a switching function, a next or a previous channel belonging to the currently active groups is selected, and by means of control signal, the decoder is switched to the next or previous channel (Col. 9, lines 9-17).

Although, Ellis teaches the use of a processor to handle the selection and tuning of channels (Col. 3, lines 66 to Col. 4, line 2), Ellis fails to specifically say that a control signal switches a decoder to the next or previous channel.

In an analogous art, Young teaches by means of control signal, the decoder is switched to the next or previous channel (Col. 4, line 54 to Col. 5, line 14). This is how channels are selected.

Regarding claim 7, Ellis and Young disclose the method of claim 6. Ellis further teaches wherein channels assigned to any group are added to groups of channels belonging to active groups (user selects channel 4, which is added to active list of channels shown on the screen, 128-figure 8, Col. 7, lines 45-52).

Regarding claim 8, Ellis and Young disclose the method of claim 6. Ellis further teaches wherein control signal simultaneously switch to receive a specific channel and the name of the group of the specific channel is displayed on the screen of the receiver (when user selects a channel the name of the group appears next to the channel number, 85-figure 10 and 11).

Regarding claim 9, Ellis and Young disclose the method of claim 6. Ellis further teaches wherein the receiver is a digital television receiver (Col. 3, lines 43-45).

Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to OSCHTA MONTOYA whose telephone number is (571)270-1192. The examiner can normally be reached on Monday/Friday 7:30 to 5:00 off every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Grant can be reached on (571) 272-7294. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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